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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,672	06/18/2001	Takeshi Kuribayashi	2001_0771	7635

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EXAMINER

CUNEO, KAMAND

ART UNIT PAPER NUMBER

2827

DATE MAILED: 06/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

9/881672

Applicant(s)

Examiner

Cuned

Group Art Unit

2827

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 3/15/02
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 26-47 is/are pending in the application.
- Of the above claim(s) 37-47 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 26-36 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☒ received in Application No. (Series Code/Serial Number) 9/319779
- ☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

DETAILED ACTION

Election/Restriction

1. Applicant's election with traverse of claims 26-36 in Paper No. 6 is acknowledged. The traversal is on the ground(s) that there is no burden to the examiner because the claims were considered in the parent application. This is not found persuasive because the claims in the present application are not identical in scope to the claims in the parent application. As a proper examination of the application relies on searching the claims (not just the disclosed invention), a burden exists.

Upon indication of allowable subject matter, examiner will rejoin and allow all claims containing the allowable combination.

The requirement is still deemed proper and is therefore made FINAL.

Treatment of Claims Based on Prior Art

2. 35 USC 102 includes the following sections which state:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 26-32, 34, 36 are rejected under 35 USC 102(e) as being anticipated by Hashimoto (US 6201193).

The marks are (25) as shown in the cover figure. The electrical connecting portions are lands (8).

On claim 32: The marks are "concerned" with a state in which the portions are formed, the state being the particular configuration.

On claim 34: The time of formation of the marks is a process limitation that does not affect the resulting structure in any way. As such, the product of claim 34 is the same as that of Hashimoto. See MPEP 2113.

4. Claims 26, 33-36 rejected under 35 U.S.C. 102(e) as being anticipated by Hertz et al. (US 5381307, hereafter Hertz).

Hertz teaches marks (504) on the corners. The connecting portions are lands that receive solder balls. Therefore, they can be construed as lands or as solder balls.

Related Prior Art

5. The following references are considered pertinent to the present application.

Klein (6084781) discloses marks (124) in figure 5.

Kubin (5912438) discloses marks (36) in figure 4.

Serial Number: 09/881672
Art Unit: 2827

4

Closing

6. Any inquiries related to the examination of this application should be directed to Ex. K. Cuneo at (703) 308-1233 or her supervisor SPE David L. Talbott at (703) 305-9883. Inquiries of a general nature should be directed to the receptionist of Group 2800 at (703) 308-0956. The fax numbers for Group 2800 are (703) 308-7722 and 7724.

A handwritten signature in black ink, appearing to be 'K. Cuneo', written in a cursive style.

K. Cuneo
Primary Examiner
June 3, 2002